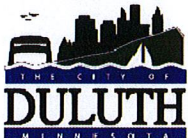
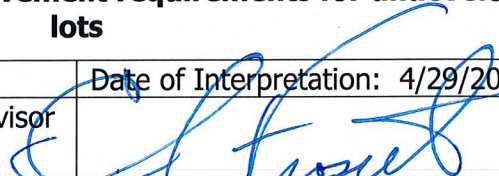


UDC Interpretation	#14-08
	Clarification of street improvement requirements for undeveloped lots
	UDC Section: 50-21.2.E Date of Interpretation: 4/29/2014
Approved by:	Charles Froseth, Land Use Supervisor 

BACKGROUND: The Unified Development Chapter of the City of Duluth Legislative Code (UDC) is the official body of rules and regulations to guide land use and development in the City of Duluth, Minnesota. UDC Sec. 50-10 *Interpretation* authorizes the Land Use Supervisor to interpret the provisions of this Chapter.

The question was asked, what are the street improvement requirements for an undeveloped lot and how do subsections 1 through 3 of Sec. 50-21.2.E apply?

CODE INFORMATION: Sec. 50-21.2.E was added to the UDC with Ordinance #10096 on 8/19/2011. This addition clearly stated that subsections 1 through 3 applied to the development of a previously undeveloped lot without street frontage. Subsequently, the UDC was amended with Ordinance #10225 on 6/29/2013 to add language to address the situation with a previously developed lot that doesn't have street frontage. This amendment separated subsections 1 through 3 from the first part of the clause making it seem like these standards only apply to situation of a previously developed lot. It was not the intention of the latter code amendment to do this.

UDC INTERPRETATION:

When developing previously undeveloped lot(s) the street improvement requirements in Sec. 50-21.2.E.1 through 3 must be satisfied. The City anticipates a technical correction to Sec. 50-21 will be part of the annual UDC amendment package in late 2014 or early 2015.

DISCLAIMER: While it is the intent of the administration to submit a technical correction to the City Council consistent with this interpretation, the code can only be amended by City Council action. This interpretation is not intended to be a promise or guarantee that the proposed amendment will be enacted.